

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS
FILED

MAY 11 2011

Mr. Albert M. Robinson
Mrs. Anita Robinson & Family

David J. Bradley, Clerk of Court

Plaintiffs,

v.

Civil Action No.4:11-cv-654

City of Houston, et al

Defendants.

Plaintiffs' Response to Defendants Motion to Dismiss and

Defendants's [sic] Response in Opposition to Plaintiffs's [sic] Motions for Entry of Default

TO THE HONORABLE JUDGE OF THIS COURT;

Plaintiffs Mr. Robinson and Mrs. Robinson Motion the court to strike the Pleading/s filed by Mr. Robert L. Cambrice on or about the 29th day of April, 2011 and Object to these same motions on the grounds that defendant waived their right to object. Those motions and responses would include "Defendants's Response in Opposition to Plaintiffs's Motion for Entry of Default" and "Defendants Motion to Dismiss".

Facts

1. TBAR No. 03674100 is a fictitious TBAR number that Mr. Cambrice has used in this case at bar and the case No. 4;11-cv-00145.

2. Defendants filed an Objection to Entry of Default for City of Houston, Houston Police Department, Public Works and Engineering Houston Water Department and Neighborhood Protection Division on or about April 26th of 2011.

Arguments & Authorities

3. **LOCAL RULES OF THE United States District Court FOR THE SOUTHERN DISTRICT OF TEXAS; LR 11.3.A.(2)** states that under an attorney's signature shall appear; (2) designation "attorney-in-charge".

4. Mr. Cambrice failed to place the words "attorney-in-charge" as he did in the document 159 filed in case No. 4;06-cv-02650, *Rodriguez v. City of Houston*. Plaintiff refers to a copy of pages 1 and page 18 of 19 of case No. 4;06-cv-02650 *Rodriguez v. City of Houston* that is already on file in a previous objection/motion and incorporates it by reference.

5. **LR 11.3.A.(3)** states that under an attorney's signature shall appear; (3) State bar number.

6. Mr. Cambrice used a **fictitious** BAR No. on this pleading as well as the prior objection filed by the defendants.

7. **LR 11.4** states that; "A paper that does not conform to the local or federal rules or that is otherwise objectionable may be struck on the motion of a party or by the court."

8. Mr. Cambrice failed to adhere to not one, but two of the Local Rules and consequently the defendants' objections must be stricken from the record.


9. Also Defendants waived their objection to improper service by participating in pretrial proceedings prior to raising the issue of improper service. See *Datskow v. Teledyne, Inc.*, 899 F.2d 1298, 1302-03 (2nd Cir. 1990); *Allied Semi Conductors Int'l v. Pulsar Components Int'l*, 907 F.Supp. 618 623 (E.D.N.Y. 1995).

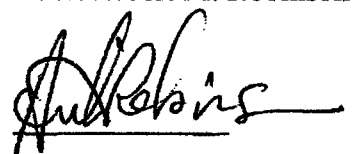
Conclusion

10. Mr. Cambrice committed fraud upon the court by knowingly using a counterfeit TBAR number and also failed to designate himself as attorney-in-charge and therefore failed to adhere to Local Rules and thus the defendants' Objections and motions must be stricken from the record pursuant to LR 11.4.

11. Also defendants waived their objection for improper service by filing their objection to Entry of Default prior to their motion to dismiss for improper service.

Date: Wednesday, May 04, 2011


Mr. Albert M. Robinson


Mrs. Anita Robinson

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Port Charlotte, Florida 33949

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(941) 661-9151

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Thursday, May 05, 2011

Mr. David Bradley
Office of the Clerk
United States District Court
For the Southern District of Texas
515 Rusk, Room 5300
Houston, Texas 77002

UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS
FILED

MAY 11 2011

David J. Bradley, Clerk of Court

Re; Civil Action No. 4:11-cv-00654 & 4:11-cv-00649

Dear Mr. Bradley;

Enclosed please find Plaintiff's;

1.) 00654 Plaintiffs' Response to Defendants' Motion to Dismiss and Defendants's Response in Opposition to Plaintiffs's Motion for Entry of Default

2.) 00649 Plaintiffs' Response to Defendants TSBDE and Meek Motion to Dismiss

3.) 00649 Plaintiffs' Motion to Disqualify Opposing Counsel

4.) 00649 Plaintiffs' Response to Mo to Dismiss
Please file the documents for 4:11-cv-00654 and 00649 respectively. If I have made any mistakes please notify me by phone at (941) 661-9151. Thank you.

Courteously submitted,



Mr. Albert M. Robinson

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PT. C., Florida, 33949

Mr. David Bradley
Office of the Clerk
United States District Court
For the Southern District of Texas
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